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OM Financial Life Insurance Company  
(formerly known as Fidelity and Guaranty Life  
Insurance Company)

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION**

OSVALDO MENDOZA,

Plaintiff,

vs.

FIDELITY AND GUARANTY LIFE  
INSURANCE COMPANY aka FIDELITY &  
GUARANTY LIFE and F&G LIFE, OM  
FINANCIAL LIFE INSURANCE COMPANY,  
and DOES 1 through 100,

Defendants.

Case No.: C 09-01211 JW


**[PROPOSED] ORDER GRANTING OM  
FINANCIAL LIFE INSURANCE  
COMPANY LEAVE TO FILE FIRST  
AMENDED ANSWER**

Honorable James Ware

 [PROPOSED] ORDER

**IT IS HEREBY ORDERED** that, pursuant to the Stipulation by and between OM Financial Life Insurance Company (“OM Financial”) and Plaintiff Osvaldo Mendoza, that OM Financial shall be permitted to file a First Amended Answer in the above-entitled action to include California Civil Procedure Code Section 339 as part of its statute of limitations affirmative defense.

Dated: July 1, 2009

  
The Honorable Judge James Ware

REED SMITH LLP  
A limited liability partnership formed in the State of Delaware.